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16 **THE UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT OF CALIFORNIA**

18 WHITEWATER DRAW NATURAL,
19 RESOURCE CONSERVATION
20 DISTRICT *et al*,

21 Plaintiffs,

22 v.

24 KEVIN MCALEENAN, *et al.*,

26 Defendants.

Case No. 3:16-cv-2583

**JOINT MOTION FOR EXTENSION
OF TIME FOR BRIEFING
SCHEDULE**

1 On February 1, 2019, after the Court lifted the stay on proceedings, the
2 Court granted the parties' joint motion setting the briefing schedule that the
3 Defendants would serve the Administrative Record on Plaintiffs on March 14,
4 2019, the Plaintiffs would file their motion for summary judgment on or before
5 April 24, 2019, the Defendants would file their combined response and cross
6 motion for summary judgment on May 24, 2019, the Plaintiffs would file their
7 combined response to Defendant's motion for summary judgment and reply in
8 support on or before June 7, 2019, and the Defendants would file their reply in
9 support of their cross-motion for summary judgment on or before June 21, 2019.
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14 Plaintiffs have filed their motion for summary judgment and Defendants
15 have filed their cross motion for summary judgment and opposition to Plaintiffs'
16 summary judgment. Upon review of Defendants' cross motion for summary
17 judgment, Plaintiffs respectfully request to extend the deadline for their combined
18 reply and response by ten days, until June 17, 2019. Rule 6 of the Federal Rules of
19 Civil Procedure provides that the Court may extend deadlines prior to their
20 expiration for good cause. Fed. R. Civ. P. 6(b)(1)(A). Plaintiffs' counsel have
21 conferred with Defendants' counsel, and Defendants consent and ask that
22 Defendants' reply be extended until July 12, 2019.
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26 In support of this motion, the parties state the following: Plaintiffs' lead
27 counsel is currently experiencing health problems which have been incapacitating,
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1 and recently has been scheduled to attend a two-day conference occurring before
2 June 7. Because of these unexpected issues, Plaintiffs' counsel would have
3 difficulty responding to the manifold and complex issues raised by Defendants'
4 cross motion by June 7, 2019. Plaintiffs made this request in good faith and not for
5 purposes of delay.
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8 Parties therefore respectfully request that the Court order that the Plaintiffs'
9 shall have until June 17, 2019 to file their Combined Opposition to Defendants'
10 Cross Motion for Summary Judgment and Reply to Defendant's Opposition to
11 Plaintiffs' Motion for Summary Judgment, and the Defendants shall have until July
12 12, 2019 to file their Reply to Plaintiffs' Opposition to Defendants' Cross Motion
13 for Summary Judgment.
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16 Dated: May 31, 2019

17 Respectfully submitted,

18 /s/Julie B. Axelrod

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